



ADVISORY COUNCIL for the **EDUCATION** of **STUDENTS** with **DISABILITIES**

Annual Report
July 2011 – June 2012



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Introduction

According to state and federal guidelines this Advisory Council has responsibility annually to issue a report to the State Board of Education, the Governor and the State Legislature. Additionally, this report will be provided to the Tennessee Department of Education. The information contained in this report represents a period of a school year showing the progress made in programs for children with disabilities. It is the Advisory Council's intention to work with the Department of Education to ensure the provision of appropriate services for children with disabilities throughout the State of Tennessee. This is accomplished through...

- Reporting by the Department to the Council
- Council giving feedback to the Department
- Public input presented to the Council
- Experiences of council members, who represent consumers

Mission Statement

The mission of Tennessee's Advisory Council for the Education of Students with Disabilities is to ensure that all students with disabilities are provided with services and opportunities necessary to develop to their full potential.

Authority

Tennessee's Advisory Council for the Education of Students with Disabilities was established in 1972 and is required by Tennessee Code Annotated 49-10-105. This legislation states that the council "shall advise and consult with the Governor, the Commissioner of Education, the State Board of Education, and the Director of the Division of Special Education."

The Individuals with Disabilities Education Act (IDEA), § 1412(a) (21), requires that the state establish and maintain an advisory panel *for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state*. Regarding duties, the advisory panel shall:

- ❖ *Advise the Department of Education of unmet needs within the state in the education of students with disabilities;*
- ❖ *Comment publicly on any rules or regulations proposed by the state regarding the education of students with disabilities;*
- ❖ *Advise the Department of Education in developing evaluations and reporting data to the U.S. Secretary under Section 618;*
- ❖ *Advise the Department of Education in developing corrective actions plans to address findings identified in federal monitoring reports under this part;*
- ❖ *Advise the Department of Education in developing and implementing policies relating to the coordination of services for children with disabilities; and*
- ❖ *Advise the Department of Education in serving the needs of students with disabilities in adult prisons.*

PART ONE

COUNCIL GOALS AND DEPARTMENT ACTIVITIES

Advisory Council Report July 2011 – June 2012

Introduction

The following goals were established by the Advisory Council for July 2011 – June 2012. The activities described represent actions carried out by the Advisory Council for the Education of Students with Disabilities and the Division of Special Education and Special Populations (DSE) along with the Tennessee Department of Education (TDOE) related to the goals of the Council. Data reflecting the provision of special education and related services throughout the state is reported with associated council goals.

Included as a part of the Division's activity, the activities of the Tennessee SPDG (State Personnel Development Grant) are reported here. The initiatives of the TN SPDG have been aligned to many of the goals of the Division of Special Education and the Advisory Council for Students with Disabilities and further aligned to better match the goals and objectives of First to the Top. The TN SPDG has five initiatives—(RTI) Response to Intervention (Literacy), School Climate, Response to Intervention (Math), Early Childhood Initiative focusing on Autism, and Teacher Equity. All of the initiatives incorporate technology and family involvement activities into the PD framework. Additionally, the Response to Intervention (Literacy) and the Early Childhood initiatives are expanding upon previous SIG initiatives. The activities conducted between April 1, 2011 and March 30, 2012 are reported here as an integral part of the Division's school improvement activity.

Council Goal 1: Promote improved student learning / progress, including promoting inclusive educational services that meet the needs of all students, regardless of their abilities, and promote a sense of belonging and mutual respect for all students while affirming each student's individuality.

COUNCIL ACTIVITIES

➤ January 11 2011

After a report from a subcommittee on moving away from the use of "mental retardation," Chip Fair moved that the council promote a change in the legislature by writing a letter. Other members volunteered to contact their House Representative and Senators.

➤ April 12, 2011

Donna Parker presented work being done by the TDOE Office of SPED to help school systems' develop and implement standards based IEP's for students with disabilities. When student's IEP's are written around grade level standards, students are more likely to be included in the general education classroom with appropriate modifications and supports in place.

She communicated that modules would be developed to help educators in developing standards based IEP's.

Melanie Karsanac, Director of Evaluation Services for the TDOE Office of Special Education, updated the council on the SPDG grant. RTI is a focus of need that provides support to struggling students prior to a special education referral. RTI is a general education process that also promotes inclusion.

➤ October 20, 2011

Council members were contacted by Bruce Bull and asked to review indicators in preparation for the October council meeting. Questions during the meeting were generated by council members and focused upon inclusion and best practices for our students.

➤ March 2012

Five council members met with Commissioner Huffman to discuss the appointment of new administration at the state department leaving no one solely responsible for the Office of Special Education. We stressed the importance of inclusion of our students in equal opportunities as well as our desire to have council members represented in important decisions.

Six council members attended the annual Special Education Conference at the Opryland Hotel. Among the many breakout sessions attended, we had various opportunities to attend sessions on the inclusion of students with disabilities.

➤ July 16, 2012

Shannon Taylor, council member, presented the letter the council submitted to Dr. Airhart supporting that students with disabilities be considered in teacher effect data. The council also expressed wishes to work collaboratively with the TN DOE to ensure TEAM Teacher Evaluation rubric effect teacher knowledge in subject areas and responsibilities specific to teachers of special education.

Common Core Training Information was presented to the council including guidance and advisement that districts will be given as we move forward.

➤ November 5, 2012

Karen Willis presented information on Indicator 5, Least Restrictive Environment. Council members asked questions and participated in discussion of this indicator.

DEPARTMENT ACTIVITIES

- TDOE requested and received technical assistance to develop strategies for future data analysis for annual performance reporting and for the development of meaningful improvement activities impacting early childhood outcomes and preschool programs from Mid-South Regional Resource Center, the Early Childhood Outcomes Center, and the National Early Childhood Technical Assistance Center.
- In promoting the inclusion of all SWD in the regular classroom to the degree possible with supports and accommodations, data is collected annually on numbers of SWD included in regular classroom settings. Reporting of this data is required by federal directive and is submitted through the Annual Performance Report – Indicator# 5. For 2011-12 the results were as follows:

Children with IEPs served Inside the regular class 80 percent or more of the day:

Children inside the regular class 80% or more of the day	Total number of children with disabilities	Percentage
70,141	110,689	63.4%

This percentage remained constant from the 2010-11 to the 2011-12 school year. These numbers have remained constant or exhibited increases for the last 5 years. This data supports TN's practice of including students with disabilities to the degree appropriate in regular educational environments.

- The activities of the SPDG grant have been further adjusted to align with First to the Top. These activities are relevant for Goal 1:
 1. Continued providing resources to LEAs in the area of response to intervention (RTI). RTI is based in inclusive services and is data driven and based in achievement results. The SPDG grant has begun studying RTI state-wide and is analyzing information from LEAs on results from implementing RTI and what are the challenges and barriers.
 2. The SPDG grant has a full time math consultant who is providing resources to LEAs in the area of math.
 3. STEP, the parent training and support agency for the State, has continued making the changing environment of education understandable for parents of

students with disabilities. Their interface has allowed reforms to progress with much better parent support.

4. The early childhood section of the SPDG grant has been involved in a successful early childhood STEM project with “Ramps and Pathways”. The early childhood activity also includes use of and training on principles from CSFEL, the Center on the Social and Emotional Foundations of Early Learning.
5. The family involvement section of the grant, under the direction of Dr. Reggie Curran, began development of a Common Core Standards guidebook based in student and family-friendly language. The guidebook will contain useful information for families and students regarding the expectations of the Common Core State Standards.
6. The teacher equity section of the SPDG grant has been amended to focus on standards-based IEPs. The importance of this training initiative is based in improving achievement results by better focusing IEPs directly on the standards.

Council Goal 2: **Promote expanded access to and quality of services to eligible students with disabilities (SWD) to better prepare them for transition into their future environments.**

COUNCIL ACTIVITIES

- This goal was regularly discussed at quarterly meetings. These informal discussions culminated in the following series of activities:
- Beginning on October 5, 2011, Samuel Cole and Mary Donnet Johnson began attempting to coordinate a conference call with Advisory Council members and persons from the State Department of Education who were directly concerned with Indicators which related closely to the subject of Goal #2. Gayle Feltner, Steve Sparks, and Brenda Isbell, along with Jessica Harbison, were the primary participants from the State.
- The call was scheduled for Thursday, November 10, 2011. A productive and collaborative discussion ensued and it was decided at the conclusion of the conference call that continuing dialogue would be very helpful and could take place through emails and future teleconferences.
- On January 11, 2012, Mary Donnet Johnson (acting as secretary for the group) emailed the following:
- After meeting via telecom with Gayle Feltner, Steve Sparks, Samuel Cole, and Brenda Isbell on November 10, 2011, and subsequent to a number of discussions via email and in person with Catherine Knowles, Dawn Bradley, Chip Fair, and Samuel Cole at our last Advisory meeting on January 9, 2012, the Advisory group recommends the following revision to Governor's Advisory Goal #2a:
- "Require TDOE to review and apply best practices and meaningful assessment tools to every student with disabilities from elementary school through secondary school in order to provide the best preparation for attainment of his or her individualized education goals and afford the highest and most appropriate vocational outcome upon graduation."
- (This was a change from the original language which read: "Encourage TDOE to monitor and review best practices for how school districts are preparing the SWD in elementary and middle school to meet the rigorous demands of the TN Diploma Project in order to receive a regular education diploma and be prepared for the workforce.")
- On January 13, 2012, Gayle Feltner, representing the TDOE members of the discussion said that they felt the word "require" might be too strong and that monitoring use of best practices (although desired by all) might be difficult as only a sampling of students is monitored each year.
- On January 13, 2012, Mary Donnet Johnson suggested perhaps we could say "strongly encourage?"
- On January 13, 2012, Samuel Cole suggested that we say "the Council recommends that TDOE continues to monitor and apply best practices and meaningful assessment tools to every student with disabilities from elementary school through secondary school in order to provide the best preparation for attainment of his or her individualized education goals and afford the highest and most appropriate vocational outcome upon graduation."

- That concluded activity on this goal for this time period. Please note that this activity deals only with the first sub-section ("a") of the goal #2 and not the main goal itself.

DEPARTMENT ACTIVITIES

- Implemented data sharing from Part C database, Tennessee's Early Intervention Data System (TEIDS), to Part B database (Easy IEP) to include compliance symbols specific to children transitioning from TEIS to improve data quality. These symbols alert LEAs of children potentially eligible for Part B.
- Delivered three regional trainings for LEA and TEIS leadership staff focused on Early Childhood Transition. The three regional trainings provide the opportunity for TDOE staff to communicate new processes and procedures developed as a result of guidance from the Early Childhood Transition FAQ. Aligning procedures and processes statewide improves compliance with early childhood transition requirements.
- As IDEA 2004, Part C Regulations were published September 2011 an interagency agreement between Part C and Part B, 619 relative to early childhood transition was developed. Completion of the interagency agreement between Part C and Part B, 619 met the requirements outlined in the Part C regulations and ensure that procedures and processes relative to early childhood transition in Tennessee are established and followed.
- Secondary Transition activities are reported in the APR in Indicators 1, 2, 13 & 14 and are referred to as the Transition Cluster.

Indicator 1 – Graduation Rate-Data for FFY 2011 reveals a 67.4% graduation rate of students with disabilities whereas in FFY 2010, the percentage was 85.2%. This represents slippage of 17.8 percentage points from FFY 2010.

This decrease is attributed to the use of a National Governor's Association (NGA) adjusted cohort graduation rate based on 4 years and a summer term. For FFY 2010, TDOE was granted approval to adjust NCLB Workbook procedures to define the graduation rate as 5 years plus any summer school terms including the summer school term after 12th grade for students with disabilities, students with limited English proficiency and students attending middle college high schools. The rate in FFY 2009 was 67.9%.

Indicator 2 (Dropout rate) – Data for FFY 2011 reveals a 9.6% dropout rate for students with disabilities. Year-to-year comparison of progress or slippage on this indicator indicates slippage of additional 5.4% or 1,545 students in FFY 2011 as compared to the rate of 4.2% in FFY 2010. The State target of 1.5% decrease was not met. The increase in dropout rate may be attributed to the Tennessee Diploma Project that became operational during the 2009-2010 school year. New rigorous content standards, new assessments and new high school graduation requirements were implemented in FFY 2009. Additionally, students who never re-entered a school after requesting a transfer were being counted in the dropout rate for the first time. Another contributing factor which may have affected the dropout rate is the economy. The economy may have forced some students to leave school in order to help support their families. Tennessee had experienced a 3.3% dropout rate for students with disabilities in FFY 2009.

Indicator 13 – High School Transition Plans, measures the percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals. TDOE has shown progress transition planning from 73.3% in FFY2010 to 87.2% in FFY2011. Compliance monitoring revealed improvement in all seven individual

components of transition planning with no component rated less than 90% compliant. The two areas that need the most attention are Student Invitation to the Meeting and Course of Study. Eighteen LEAs monitored in FFY2011 were 100% compliant. Tennessee has steadily improved in transition planning over the last few years when TDOE placed a substantial emphasis on transition planning.

The Fourth Annual Transition Summit was held on February 22, 2012. Over 250 education professionals from across Tennessee participated. Two tracks were offered – one was general transition topics and the other was Improving Post-Secondary Survey results.

TDOE submitted a proposal to the National Secondary Transition Technical Assistance Center (NSTTAC) for intensive technical assistance and was accepted. TDOE will build a work plan in conjunction with NSTTAC staff to enhance TN's capacity to:

- (a) implement and scale-up evidence-based practices to improve academic and functional achievement that prepare students with disabilities for college and the workforce;
- (b) implement policies, procedures, and practices to facilitate students with disabilities participating in programs to prepare students for college and career readiness; and
- (c) achieve 100% compliance with Annual Performance Reporting (APR) Part B Indicator

Indicator 14 – Exit Survey, percent of youth, who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

Tennessee experienced slippage from the baseline (FFY 2009) and from FFY 2010 in the most current reporting period (FFY 2011) across measurements A, B, and C. Tennessee's data results show that the greatest category of respondents is in the Not Engaged (40%) category. Since FFY 2009 Tennessee has experienced unemployment higher than the national average and the loss of many jobs; especially hard hit were rural areas with limited industry and transportation difficulties. These factors were coupled with the implementation of the Tennessee Diploma Project which places more requirements on students to receive a regular high school diploma.

LEAs report that there are many fewer opportunities for students and leavers because of all of the adults in the community seeking employment. The Annie E. Casey Foundation, which administers the Kids Count program, recently released a policy report on youth employment. The report finds that employment among Americans ages 16 to 24 is at lowest point in 50 years. In Tennessee last year, fewer than 25% of 16- to 19-year olds had a job, and only 60% of Tennesseans 20-24 worked in 2011. Entry level jobs are being taken by displaced, older workers.

Council Goal 3: **Promote development and implementation of formative assessments that evaluate students' knowledge in a manner that considers their individual needs and that provides appropriate accommodations.**

COUNCIL ACTIVITIES

- The Council recognizes the importance of improving evaluations that assess student knowledge and commends the TDOE for efforts to train teaching professionals across the state to conduct assessments that measure student knowledge in a manner that considers individual needs and abilities.
- The Council continues to encourage participation in the Annual SPED Conference, which had a record number of attendees this year, including many Council members. This year's conference provided numerous student evaluation/assessment resources for educators, parents and stakeholders.
- The Council continues to incorporate into quarterly meetings, as well as through a link provided on its website, a time for public comment regarding the issues pertaining to the assessment of students with disabilities.

DEPARTMENT ACTIVITIES

- During June and July of 2012 the Department provided extensive trainings across the State on teaching the Common Core Standards in Mathematics. That training, as well as others provided during a portion of the 2011-12 School Year, included use of Constructive Response Assessments (CRA) to evaluate student learning of standards. CRA is (a type of formative assessment) an example of a performance task. Generally, it is open-ended where students must show their work, explain their thinking, etc. A single task usually has multiple parts for a single problem situation. The CRAs that the TDOE are using are designed to assess one or more CCSS content standards and invite students to use one or more of the standards for mathematical practice. Other types of assessments - multiple choice, T/F, matching, fill-in-the blank, etc. - differ greatly from constructed response assessments.
Trainings conducted on Formative Instructional Practices in the state of Tennessee from May 2011 to December 2012 included:
5/12, 2011
8/15-16, 2011
8/29-30, 2011
5/18, 2012
6/11-12, 2012
6/13-14, 2012
6/18-19, 2012
6/20-21, 2012
11/6, 2012 (FIP/Common Core training)
12/10, 2012 (FIP/Common Core training)
- Activities through the SPDG grant include:
 - Ongoing consultation with LEAs on the uses of formative assessments and their best use in developing IEPs.
 - The RTI consultation supports this activity as well as the standards-based IEP work.

Council Goal 4: **Promote increased quality and quantity of personnel serving eligible children and youth with disabilities.**

COUNCIL ACTIVITIES

- 10/24/11 Meeting – Council discussed concerns received about TEAM evaluation system recently implemented in the state. Council provided input to TDOE regarding using this system to promote quality of instructional practices of special education teachers, stressing the need for accepting the evaluation process for this highly individualized classification of teachers.

DEPARTMENT ACTIVITIES

- The Division of Special Education and Special Populations provides contracts with universities of higher education across the state to provide training and recruitment for teachers who would like to become licensed or endorsed in the area of special education.
- The Department maintains 17 Special Education Licensure grants which provide funding for the training and licensure of SPED teachers in Tennessee. Five of these grants provide licensure in Speech Language Therapy and one provides a vision endorsement for educators wishing to serve the blind and visually impaired population. Participants receive funds for tuition in exchange for providing two years of service in a Tennessee public school.
- A total of \$5,422,062 was allocated to Institutes of Higher Education for the purpose of increasing the number of certified special educators, speech therapists, and vision teachers in Tennessee during the 2011-12 school year.

Council Goal 5: **Promote adequate special education funding and improving procedures for allocation of funds.**

COUNCIL ACTIVITIES

- Review reports from the TDOE regarding distribution / use of federal and state funds: TDOE reported to Advisory Council that following the federal guidelines in the distribution of flow-thru money to LEAs. 2011-2012 school year, the total amount was \$206,191,415.00.
- Encourage use of available grants for special areas of need: TDOE reported to the Advisory Council that the Division provides a portion of their discretionary set-aside funds for grants to local education agencies for program improvement in order to close the achievement gap for students with disabilities. The Discretionary Set aside funds for the 2011-2012 year was reported as \$23,647,088.00.

DEPARTMENT ACTIVITIES

- The Division of Special Populations follows federal guidelines in the distribution of flow-thru money to LEAs. For the 2011-12 school year, the total flow-thru to LEAs was \$206,191,415, used to provide special education and related services for students with disabilities.

Federal Funds Available for the Education of Students with Disabilities

Program Source of Funds: Federal	2009-10	2009-10 ARRA	2010-11	2011-12
IDEA, Part B Grant Funds	\$ 235,422,260.00	NA	\$ 235,216,929.00	\$ 234,411,003.00
Flow through to LEAs	\$ 207,529,553.00	\$ 229,613,418.00	\$ 207,324,222.00	\$ 206,191,415.00
Discretionary Set-aside funds	\$ 23,373,184.00	NA	\$ 23,373,184.00	\$ 23,647,088.00

IDEA, Preschool Grant Funds	\$ 6,775,229.00	NA	\$ 6,775,229.00	\$6,762,357.00
Flow through to LEAs	\$ 5,001,619.00	\$ 7,345,943.00	\$ 5,001,619.00	\$5,054,298.00
Discretionary Set-aside funds	\$ 1,418,888.00	NA	\$ 1,418,888.00	\$1,353,338.00

In addition, the Division provides a portion of their discretionary set-aside funds for grants to local education agencies for program improvement in the areas of: inclusion, assistive technology, transition, behavior, and autism.

Council Goal 6: **Promote improved state and local information management related to special education.**

COUNCIL ACTIVITIES

- The Division Staff reported findings from the State Risk Assessment Team that recommended more control on the persons who had access to the data provided by the state management system. The state has limited access to the program and deleted in a timely manner those who did not require access.
- The Division Staff provided statistical data to the Council on the number of students with disabilities, the categories of disabilities, and the status of services for students throughout the state.
- Historically, the Division has reported the end of year data, which is a cumulative count of all students served at the district level. Another count became available, which shows a "snapshot" of the number of students being served on December 1 of that year. The Council voted to include both tables in the Annual Report in order to provide a more comprehensive view of the data.

DEPARTMENT ACTIVITIES

- The 2011-2012 school year data (i.e. Local Determinations) will be provided to all TN Leas by May 31, 2013. It will include their overall performance/compliance determination. Determinations fall in to four categories: *Meets Requirements*, *Needs Assistance*, *Needs Intervention*, and *Needs Substantial Intervention* and are based on graduation rate, state assessment results, discipline, LRE, parental input, disproportionality, child find, transition planning, and monitoring results. Accompanying determinations are improvement requirements for those LEAs that did not receive the *Meets Requirements* designation.

Council Goal 7: **Promote enhanced communication among community, educators and stakeholders on special education services and policies.**

COUNCIL ACTIVITIES

- The Council recognizes the importance of improving ongoing communication and commends the TDOE for its informative website which benefits educators, stakeholders and the community. The site is rich with pertinent information such as training dates, conference information, resources and staff contact information.
- The Council continues to encourage participation in the Annual SPED Conference. Numerous Council members attended the 11-12 Conference.
- The Council continues to solicit public comment regarding issues pertaining to the education of our children with disabilities.
- The Council continues to provide opportunity for participation in Council meetings in person as well as via technology through a link provided on its website.

DEPARTMENT ACTIVITIES

- The TN Department of Education provides information and communication to educators on educational policies, services, and professional development opportunities through a weekly electronic update entitled the “Director’s Update”. Information provided is generally directed to all LEA staff and includes specific trainings/ conferences/policies and include but are not limited to: State Assessment, TEAM Evaluation, and Common Core State Standards.
- An annual Special Education Conference, sponsored the Division of Special Education and Special Populations, is held each spring for approximately 2000 special educators, administrators, agency representatives and parents. Conference sessions provide much information on a wide variety of special education based topics including: inclusion, differentiated instruction, positive behavior interventions and supports, common core state standards, related services, data analysis and more.
- The State’s website <http://www.tn.gov/education/> includes numerous links to special education information such as the State’s Annual Performance Report (APR), assessment data and procedures for eligibility, legal information and procedural safeguards, and compliance monitoring findings.
- As advisors to the Division of Special Populations, Council members are asked to participate in the finalization of TNs Annual Performance Report (APR) by providing their input during review of the APR at selected Council meetings.
- Project STEP, Inc. continues to provide linkage between parents and educators, and serves as a resource for a variety of topics and concerns for students with disabilities.

Council Goal 8: **Encourage implementation of school-wide positive behavior supports (SWPBS) and training for best-practice methods to ensure safety of students and faculty.**

COUNCIL ACTIVITIES

➤ October 24, 2011

The Special Education Behavioral Supports Act Legislative Update was presented by Bill Wilson to the council on this date. Council members asked questions as to who this pertains to and how the special education population would be effected.

➤ November 5, 2012

Initial Evaluation and Provision of Services Rules change was presented by Bill Wilson. Questions focused upon training that was planned and communication of the information presented.

DEPARTMENT ACTIVITIES

- Six universities served the school systems of Tennessee in Positive Behavior Interventions and Supports training during the SY 2011-2012 at a total cost of \$2,073,287.00. They were East TN State U., U. of Tennessee at Knoxville, Tennessee Technological U., Vanderbilt U., Middle TN State U., and U. of Memphis. Major focus was on team building within schools to change school climates from punitive to positive places, and to teach appropriate behavior, thereby increasing the graduation rate and decreasing the rates of dropouts, suspensions, and expulsions. Each project also served LEAs in handling challenging behavior of individual students, inclusion, and ADD.
- Several school systems requested in-service training regarding the Special Education Behavioral Supports Act (i.e. isolation and restraints) which went into effect in June, 2011. The half-day training was provided by Linda Copas, the Division's Director of Behavior and Autism Services.
- For the 2011-12 school year the number of LEAs with a discrepant number of students with IEPs suspended or expelled over 10 days decreased approximately 17 percentage points in comparison to the percentage for the 2010-11 school year. While this improvement cannot be directly attributed to the implementation of SWPBS it is a factor which should be considered in LEAs where these practices were in place.
- The SPDG grant is developing a series of guidebooks on implementing an integrated model of behavior and academic intervention.

PART TWO
STATISTICAL INFORMATION

NUMBER OF STUDENTS WITH A DISABILITY

Both of the following two tables contain data on the number of students with disabilities ages 6 through 21 served by the local school systems. The first table shows a total number of students receiving special education services as of the end of the school year (by rank) with comparisons of the past four school years. Since it is a cumulative count, a student could possibly be counted more than once if they received services in more than one district during the course of the school year.

	School Year 2008-2009	School Year 2009-2010	School Year 2010-2011	School Year 2011-12
Specific Learning Disability	49,256	51,681	52,892	40,787
Speech or Language Impairment	35,352	33,943	35,052	22,679
Intellectually Gifted	17,989	20, 831	20,681	16,247
Other Health Impairment	13,017	14,636	15,592	11,826
Intellectual Disability (formerly "Mental Retardation")	9,018	8,685	8,785	6,419
Developmental Delay	8,121	4,798	5,255	3,981
Other (Functionally Delayed)	5,135	5,479	4,955	3,216
Emotional Disturbance	4,563	4,451	4,619	2,682
Autism	6,257	5,368	6,227	5,218
Multiple Disabilities	2,258	2,163	2,300	1,907
Hearing Impairment	1,365	1,186	1,221	868
Orthopedic/Physical Impairment	921	800	788	592
Visual Impairment	629	600	596	426
Traumatic Brain Injury	355	331	334	244
Blind	190	174	175	128
Deafness	179	300	311	274
Deaf-Blindness	9	10	11	7
TOTAL	154,614	155,436	159,794	117,501

This table shows a “snapshot” count of students (ages 3-21+) receiving services as of December 1st. This data does not contain duplications; however, since it is used in a federal report, it does not include the state-defined disability categories of Intellectually Gifted or Functionally Delayed. The federal reporting categories combine the state disability categories Hearing Impairment/Deaf and Visual Impairment/Blind.

	School Year 2008-2009	School Year 2009-2010	School Year 2010-2011	School Year 2011-2012
Specific Learning Disability	43,583	43,184	43,429	44,700
Speech or Language Impairment	33,584	33,802	33,475	33,693
Other Health Impairment	11,947	12,327	12,886	13,641
Intellectual Disability (formerly “Mental Retardation”)	8,373	7,927	7,600	7,453
Developmental Delay	7,139	7,391	7,957	8,387
Emotional Disturbance	3,609	3,446	3,382	3,095
Autism	4,595	5,419	5,990	6,632
Multiple Disabilities	2,167	2,197	2,179	2,233
Hearing Impairment	1,537	1,533	1,513	1,515
Orthopedic/Physical Impairment	864	818	815	780
Visual Impairment	746	744	731	705
Traumatic Brain Injury	277	305	296	303
Deaf-Blindness	4	9	10	10
TOTAL	118,425	119,102	120,263	123,147

PART THREE

MEETING MINUTES

Advisory Council for the Education of Students with Disabilities Approved Minutes

**July 12, 2010
1252 Foster Avenue
Hardison Building Auditorium
Nashville, Tennessee 37243**

Members of the Council in Attendance

Kathleen Airhart
Paula Brownyard, Chair
Samuel Cole
Chip Fair
Jeff Finney
Winnie Forrester
Janelle Glover
Kyle Hauth

Cynthia Higginbotham, Vice-Chair
Mary Johnson
Christine Lloyd-Burkes
Sebrena St. John
Shannon Taylor
Jim Topp
Darlene Walden

Members of the Council Not in Attendance

David Blier
Dawn Bradley
Chantal Hess-Taylor
Catherine Knowles
Beulah Oldham
Sharmila Patel
Cindy Storey
Tonya Watson

State Employees in Attendance

Bob Blair, TN Department of Education/Division of Special Education (TDOE/DSE)
Joseph Fisher, TDOE/DSE
Jessica Harbison, TDOE/DSE
Rex Kitts, Department of Children's Services
Mary Jane Ware, TN Department of Human Services/Division of Rehabilitation Services
Bill Wilson, TDOE/DSE

Visitors in Attendance

Lynise Parisien, Parent and Educational Advocate for The Arc
holly lu conant rees, Disability Coalition on Education
Loria Richardson, The Arc of Tennessee
Patricia Valladares, STEP, Inc.

Welcome

Paula Browyard, Chair, began the meeting by welcoming everyone. She then led the Council members and guests in the Pledge of Allegiance.

Acceptance of Agenda

The agenda was accepted as presented.

Approval of Minutes from January 12, 2010 Meeting

Without a quorum present at the April Meeting, a vote on the minutes of the January 12, 2010 was deferred. After briefly reviewing the minutes, the Council voted to accept them as presented.

Approval of Minutes from April 12, 2010 Meeting

The minutes of the April Meeting were also accepted as presented.

Report from the Chair

Paula announced two new members recently appointed to the Council. Kathleen Airhart (present) who, as the Director of Putnam County Schools, will be representing State & Local Education Officials and Chantal Hess-Taylor (not present), who will be representing parents of a child with a disability.

Paula then reported that a new website is being developed by the U.S. Department of Education Office of Special Education Programs (OSEP) for State Advisory Councils. Although only in the beginning stages, an overview webinar was held to introduce this new resource. The main goal is to provide states with access to resources and tools, such as annual reports and new member orientation, while also allowing OSEP to disseminate information to and from a single source. A few states were cited during the webinar including Tennessee for its statewide access to meetings. Although David Blier was unable to attend this meeting, Paula did recognize him for his work getting this feature set up. The State Advisory Councils website is currently housed at tadnet.org; however, there is not a means for public input at this time. Council members are to submit any questions or ideas they may have to their Chairperson for submission to their State Education Agency. Further discussion of developments and a review of submissions will take place during a Leadership Conference in August 2010.

Public Input

There was no one present to address the Council.

Approval of 2010-2011 Council Goals

The Council voted to continue working on the 2009-2010 Council Goals in 2010-2011, in order to further monitor those areas, with the following changes and/or additions to the actions of the goals:

- Add Council Goal 1 (f): "Request TDOE to provide increased training of professionals/paraprofessionals in inclusive practices and review TDOE's monitoring of implementation of practices."
- Amend Council Goal 2 (a) to read: "Encourage TDOE to monitor and review best practices for how school districts are preparing their students with disabilities (SWD) in elementary and middle school to meet the rigorous demands in the TN Diploma Project in order to receive a regular education diploma and be prepared for the workforce."

- Amend Council Goal 2 (b) to read: “Encourage incorporation of self-advocacy/self-determination skills within the curriculum for all levels of services in special education, specifically seeking to increase inclusion and opportunities with peer mentors.”
- Amend Council Goal 2 (c) to read: “Promote College and University Services program initiatives with the TN Board of Regents, the Tech Prep Consortium and college administrators, and include utilization of the College and University Disability Services program at the earliest opportunity on the high school level.”
- Add Council Goal 8 (c): “Encourage TDOE to collect data on teacher and staff retention/attrition from school districts using SWPBS, if available.”
- Add Council Goal 8 (d): “Encourage opportunities for parent and professional partnerships that inform and increase the understanding of programs such as SWPBS.”
- With the additional actions on Council Goal 8, activities (c) and (d) for 2009-2010 then became Council Goal 8 (e) and (f). No changes were made to Council Goal (e); however, Council Goal 8 (f) was amended to read: “Encourage training sessions to address student/staff safety to ensure schools are complying with the Seclusion/Restraint Law.”

A complete list of the 2010-2011 Council Goals will be posted on the TDOE/DSE website at: <http://www.tennessee.gov/education/speced/advisory.shtml>. Council members also volunteered to help monitor the progress of one or more of the Council Goals and report their findings to the group throughout the year.

2009-2010 Annual Report (Correction: This should read “2008-2009 Annual Report.”)
This item was discussed under “New Business.”

Race to the Top (RTTT) Update

Joseph Fisher reminded the Council that Tennessee was one of two states which were awarded money from the USDOE Race to the Top Fund. Of the \$501 million that was received, half will be distributed to local education agencies (LEAs) and half will be used by the TDOE for professional training and development. (Please note: The TDOE is now calling this initiative “First to the Top,” or FTTT.) The TDOE plans to restructure in order to meet the requirements agreed upon in its application to the USDOE.

A “Delivery Unit” has already been established, which Cory Curl will oversee. In order for LEAs to receive a portion of the award money, they must submit a “scope of work” to detail exactly how they plan to use the money in their district. These plans were reviewed by Ms. Curl and her staff and then forwarded to the USDOE for their final review. Once the plans have been approved and returned, the TDOE will begin distributing the money to the LEAs. It is possible the USDOE will also visit a few districts first to review their scope of work with them prior to granting final approval.

An “Achievement School District” has also been created and a national search is being conducted for a Superintendent. Gwen Watson has been appointed as Deputy Superintendent. A Finance Manager and a Curriculum Manager will also be appointed to the staff. The purpose of this is to assist districts that are consistently low performing. There are currently thirteen (13) schools in various districts that fall into this category and will become part of this new district.

Five other offices have been created within the TDOE: Great Teachers and Great Leaders headed by Barry Olhausen; the Office of Data Systems headed by Lisa Howard; Office of Standards and Assessments will be headed by Dan Long; the Office of Turn-Around Schools, which will be headed by Gwen Watson temporarily until a replacement is found; and the Office of Science, Technology, Engineering and Math (STEM) Education headed by Scott Eddins. The TN Early Intervention System (TEIS) is now part of the Office of Early Learning, which works with children ages birth to three (3) years old, headed by Bobbi Lussier.

Not all of the reorganization changes have been completely implemented; however, the TDOE is working to do so as quickly as possible and weekly meetings are being held to discuss the progress of these projects.

Transition Advisory Council

Joseph Fisher then spoke with the Council about the Transition Advisory Council, which is one of the stipulations of the TN Interagency Agreement. This agreement provides interdepartmental assistance between the TDOE, Department of Children's Services, Department of Finance and Administration, the Bureau of TennCare, the Division of Intellectual Disabilities, Department of Health, Department of Human Services, Department of Mental Health and Developmental Disabilities and Department of Correction for the provisions of services to individuals and youth with disabilities. These agencies are working together to determine who will appoint members, oversee meetings, etc. While still in the developmental stages, Mr. Fisher asked that anyone interested in serving on this council please contact his office.

Other New Business

Paula proposed a possible change to the Advisory Council Annual Report. The report contains statistical data including the number of students receiving special education services in Tennessee for that school year. Historically, this information has been taken from the End-of-Year Data Report and is a cumulative count of all children served at the district level. This means that if a student received special education services from multiple school districts during the school year, then the student would be represented multiple times in this count. Paula explained to the Council that another count is also available which shows a "snapshot" of the number of students in the district receiving special education services on December 1st of that year. With this view, a student would only be counted once; however, it is for a federal report and does not include the Functionally Delayed or Gifted disability categories. The Council voted to keep the original table and also use the new information to provide more a comprehensive view of the data.

The Council then discussed future meeting dates and set a tentative schedule as follows:

- October 11, 2010
- January 10, 2011
- April 11, 2011
- July 11, 2011

Adjourn

Hearing no other new business, the meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Approved Minutes**

October 11, 2010

**Andrew Johnson Tower
710 James Robertson Pkwy
Nashville, Tennessee 37243**

Members of the Council in Attendance

David Blier
Dawn Bradley
Paula Brownyard, Chair
Samuel Cole
Chip Fair
Jeff Finney
Winnie Forrester
Chantal Hess-Taylor

Cynthia Higginbotham, Vice-Chair
Mary Johnson
Catherine Knowles
Sharmila Patel
Sebrena St. John
Jim Topp
Darlene Walden

Members of the Council Not in Attendance

Kathleen Airhart
Janelle Glover
Kyle Hauth
Flavenia Leaper
Christine Lloyd-Burkes
Beulah Oldham
Cindy Storey
Shannon Taylor
Tonya Watson

State Employees in Attendance

Steve Dugger, Department of Children's Services
Joseph Fisher, TN Department of Education/Division of College & Career Readiness (TDOE/DCCR)
Pam Fuqua, TDOE/DCCR
Melanie Hatcher, TDOE/DCCR
Terry Long, TDOE/DCCR
Nan McKerley, TDOE/DCCR
Bill Wilson, TDOE, Office of the General Counsel

Visitors in Attendance

Ned Solomon, TN Council on Developmental Disabilities

Welcome

Paula Browyard, Chair, began the meeting by welcoming everyone. She then led the Council members and guests in the Pledge of Allegiance.

Acceptance of Agenda

The agenda was accepted as presented.

Approval of Minutes from October 11, 2010 Meeting

The Council voted to accept the minutes as presented.

Report from the Chair

Paula announced that the Council was recognized by the Mid-South Regional Resource Center (MSRRC) for its efforts to draw more public input. The MSRRC has asked the Council and TDOE to conduct a webinar for other State Advisory Councils to discuss ways they could do the same in their state. No date has been set for the webinar at this time.

The 2008-2009 Annual Report is still being worked on; however, a final draft will be emailed to the Council members in the next few weeks. Once members have reviewed the final draft, a vote to accept or reject the proposed document will also be conducted via email.

Paula introduced a new member, Chantal Hess-Taylor. She is from Memphis and will be representing parents of children with a disability. Another new member, Flavenia Leaper, was not in attendance at this meeting.

Paula informed everyone that Beulah Oldham, who represents Institutions of Higher Education, missed the last few meetings due to a recent head injury. She contacted Paula to make the Council aware of the reason for her absences and to say that she is closely following the advice of her doctors so she can return to her duties as soon as she is able.

Jim Topp also reported about the recent passing of Sister Mary Mark Graf, a previous Council member. She worked in a residential home for children with disabilities in Germantown, TN and served for many years on the Council before retiring in 2002. The Council observed a moment of silence to reflect on her lifetime of service to others, especially children.

Public Input

There was no one present to address the Council.

First to the Top (FTTT) Goals & Initiatives

As it was not yet the scheduled time for Cory Curl, Director of the Education Delivery Unit, to discuss the goals and objectives of the TDOE's FTTT Initiative, Paula moved to the next agenda item. The Council will return to this item when Director Curl arrives.

Department Re-organization

Joseph Fisher outlined the current restructuring of the TDOE. In addition to the Commissioner of Education, the department now has two Deputy Commissioners. One whose responsibility it is to oversee the Race to the Top (RTTT) and FTTT activities. This consists of the Offices of Accountability and Assessment, along with three major divisions:

1. Division of School Readiness – Pre-K through 3rd grade and the Early Intervention System (TEIS). Bobbi Lussier has been appointed Assistant Commissioner.
2. Division of College & Career Readiness – 4th grade through high school, including Special Education, School Coordinated Health, ELL, Alternative Schools, Migrant Education, Homeless Education, teacher preparation programs, after school programs, professional development and curriculum. Joseph Fisher has been appointed Assistant Commissioner.
3. Post-Secondary Access & Services – This includes School Counseling, all Vocational Educational programs (now called Career Technical Education, or CTE) and Transition Services. Transition Services, which previously fell under Special Education, was moved along with the Office of Legal Services, which will now be a part of the Office of the General Counsel. These follow the TEIS, which was placed in the Division of School Readiness earlier in the year.

The second Deputy Commissioner is responsible for overseeing the daily operations of the department, such as personnel and fiscal matters. Mr. Fisher noted that the TDOE has been in contact with the candidates for governor while making these decisions to ensure that the initiatives and changes will meet with their approval, should they get elected. However, this does not mean there will not still be further changes to come.

Mr. Fisher assured the Council that he and his staff were working very closely with the staff of the offices now under his supervision to continue the current level of services received by students and to discover new opportunities for improvement. Teachers will begin receiving extensive additional professional development training as one major concern has been the implementation of annual reviews for teachers as well as principals. The training that will occur will help educate these individuals about the process and should minimize their frustrations. There are several districts that will begin piloting the new evaluation system next month and it will be completely in affect in the 2011-2012 school year.

Mr. Fisher also discussed the indications given by the USDOE that soon a teacher of core content subjects in grades 7-12, who is the teacher of record, would need to be “Core Content Certified.” Previously, and currently, if a teacher is only teaching special education students and has been determined to be Highly Qualified, they could teach with a Special Education Endorsement and not have to be Core Content Certified. The State Board of Education passed a rule allowing any teacher of a core content subject (i.e. Math, English, and Science) in grades 7-12 to take the praxis exam in another subject area to become Core Content Certified. Although there is no official mandate at this time, the TDOE is encouraging districts to use ARRA or IDEA funds to assist teachers in taking these praxis by enrolling in refresher courses or even allowing them to return to school to complete the necessary courses to receive a new endorsement.

Review State Annual Performance Report (APR)

The information being presented is a draft of the APR, which will be finalized and sent to the U.S. Department of Education (USDOE) on February 1, 2011. Once submitted, the information in this year’s APR will be available to the public on the TDE/DCCR website at: http://www.tennessee.gov/education/speced/data_reports.shtml. Reports from previous years can already be found on the website.

Veronica McDonald, Director of Program Improvement, presented Indicator 5 - Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) - which looks at the percent of children with IEPs (ages 6 to 21) served (a) inside the

regular class more than 80% or more of the day; (b) inside the regular class less than 40% of the day; and (c) in separate schools, residential facilities, or homebound/hospital placements. The data for the 2009-10 school year was obtained from Table 3 of the December 1, 2009 Federal Census Report. Data reflect that 62.33% of children with IEPs were removed from Regular Class 80% or more of the day in comparison to 59.15% last school year. The state target of 55% has been met and exceeded. Data also reflects that 12.64% of children with IEPs were removed from Regular Class less than 40% of the day in comparison to 13.24% last school year. The state target of 13% has been met. Children served in combined separate programs, which includes separate public/private schools, public/private residential schools and homebound/hospital placements comprise 1.75% of children served. This is less than the 3.71% national average which reflects that this target was met as well.

For 2009-10 all 136 school districts are using the statewide special education data system for reporting student level data. This consistency of data reporting provides for a high level of data accuracy as these student level data come directly from the IEP information. TN continues to meet the state targets relative to this indicator. Districts in the state generally provide a continuum of placements based on the least restrictive environment.

Jamie Kilpatrick, Director of IDEA Preschool Services, was introduced to discuss Indicators 6, 7 and 12 which deal with areas of early childhood education. He also introduced Melanie Hatcher, Early Childhood Consultant, and Pam Fuqua, Early Childhood Data Consultant, who helped gather the information to be presented. Indicator 6 - Early Childhood Settings - is not required to be reported this year. There is currently a national debate regarding the exactly what parameters are appropriate; therefore, although the TDOE has the means to collect the data, reporting has been put on hold for this school year.

Mr. Kilpatrick also reviewed Indicator 7 - Preschool Outcomes. This Indicator looks at the percent of preschool children with IEPs who demonstrate improved: (a) positive social-emotional skills (including social relationships); (b) acquisition and use of knowledge and skills (including early language/communication and early literacy); and (c) use of appropriate behaviors to meet their needs. Entrance and exit data has been collected from LEAs on a total of 1128 students who had received services for at least six months. The preschool children who improved functioning (combined categories of c and d divided by a+b+c+d times 100) are seen at the following percentage by outcome:

- A. Positive social-emotional skills (including social relationships) = 91.7%
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy) = 89.5%
- C. Use of appropriate behaviors to meet their needs = 92.6%

The number of preschool children who were functioning within age expectations (combined categories of d and e divided by a+b+c+d+e times 100) are seen at the following percentage by outcome:

- A. Positive social-emotional skills (including social relationships) = 57.4%
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy) = 55.7%
- C. Use of appropriate behaviors to meet their needs = 68.0%

Since this is such a new reporting area, the TDOE will continue to refine its data collection process and explore uses for the data once collected.

Mr. Kilpatrick then went on to discuss Indicator 12 - Part C to B Transition. This Indicator shows the percent of children referred by Part C prior to age 3, who are found

eligible for Part B, and who have an IEP developed and implemented by their third birthdays. 98% of children referred by Part C prior to age 3 and who were found eligible for Part B had an IEP developed and implemented by their third birthdays. This represents continued progress from the previous fiscal year's performance of 95%, and represents significant progress from the 2006-2007 year performance of 47.10%. In addition, this year compliance monitors followed up with LEAs that were not compliant on this indicator.

Reasons most often cited for untimely IEPs were: scheduling issues between parties, snow days, rescheduling issues when someone is sick – often the child, and families that have moved, could not be located, changed their minds regarding evaluation or services.

Data from Tennessee's Early Intervention Data System was merged into a unified data table for this report and compared to the special education data services system (Easy-IEP).

Data submitted for FFY 2009-2010 has been verified by each LEA to increase accuracy. Work continues with the existing data systems in Part B and Part C to collect all desired data elements to continue and improve this indicator data.

FTTT Goals & Initiatives

Cory Curl arrived to address the Council and attention was returned to this item. Ms. Curl outlined the work that is being done to transform the State Department of Education and its relationships with school districts. She encouraged everyone to access the state's Race to the Top (RTTT) application (found online here:

<http://state.tn.us/education/index.shtml>) and read the first two pages which sets forth a narrative of what aspirations the department has for the students of Tennessee. Within RTTT, very specific goals were established regarding student performance. This includes enhancing proficiency on state assessments as well as national education progress scores; increasing graduation rates and the number of students continuing on to post-secondary situations; working to decrease achievement gaps; and dramatically enhance the effectiveness of instruction. RTTT's core ideas include: adopting standards and assessments across state lines; utilizing data systems to help teachers teach, rather than just collecting data for reporting purposes; honestly measuring teacher and school performance to appropriately provide support where it is needed most; and funding for STEM – Science, Technology, Information, and Mathematics.

FTTT is currently focusing on three very specific areas - 3rd grade Reading, 7th & 8th grade Math and High School graduation rates. Once a comfortable amount of progress has been seen, focus will expand into other areas such as post-secondary enrollment rates and post-secondary success rates after the first year and completion rates to ensure that students are not only successful in their academic life but their lives beyond school. Ms. Curl assured the Council that she would provide regular progress reports and would welcome feedback and suggestions to help make this project as successful as possible.

APR Review

Returning to the APR Review, Bill Wilson, Director of Special Education Legal Services, was introduced to present Indicators 16-19. Indicator 16 shows the percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute

resolution, if available in the State. 99 signed written complaints were received by the division. 60 reports were issued. Of the 60 reports issued, 57 were within timelines and 4 were within extended timelines. 5 complaints were pending at the end of the reporting period, all of which were pending a due process hearing. 34 complaints were withdrawn or dismissed. 100% of signed written complaints were resolved within the timelines (including extended timelines) and the target was met.

Indicator 17 shows the percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines. 42 due process hearing requests were received by the division. One (1) due process hearing request was fully adjudicated. 24 due process hearing requests were resolved without a hearing. 17 requests were pending at the end of the reporting period. 100% of due process hearings were decided within the timelines (including extended timelines). There were no findings of noncompliance. Target was met.

Indicator 18 shows the percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. The Target for this Indicator was 4% of hearing requests that go to resolution sessions will be resolved through resolution settlement agreements. 16 resolution sessions were conducted with 9 resulting in signed written agreements. 56% of hearing requests that went to resolution sessions resulted in signed written agreements. Therefore, this target was also met.

Indicator 19 shows the percent of mediations held that resulted in mediation agreements. 36 mediation requests were received by the division and 10 were not related to due process hearing requests. Of the 10 that were not related to due process hearing requests, 9 resulted in agreements. Of the 11 mediations that were related to due process hearing requests, 7 resulted in agreements. 15 mediations were either pending or not conducted. 76% of mediations reached agreement within applicable timelines (16 agreements divided by 21 mediations held) and the target of 60% was met.

Terry Long, Director of Data Services, began with a brief overview of Indicator 8 - Parent Survey. Based on the study conducted in FFY08, it was determined that the two most cost effective methods of survey distribution are direct email to parents and mailing survey packets to School Principals for distribution to parents. TDOE worked with a contractor, East Tennessee State University (ETSU), to administer the survey. The two different methods of soliciting parent surveys are described below:

1. Direct Email to Parents: Parents were directly emailed and provided a URL to take the survey on the Web. Information from the state, in letter form, was attached explaining the survey. Additionally, parents could choose to print, complete and return a hard copy of the survey by US mail.
2. Mailing of Survey Packets to School Principals: School principals were mailed quantities of paper surveys, postage paid envelopes and letters to parents explaining the survey. School principals were asked to disseminate the surveys to students to be taken home to parents. (The accompanying letter provided parents a URL as an alternate means of completing the survey if the parent did not want to complete the hard copy).

This year a total of 29,653 surveys were distributed to parents. There were 5,478 survey responses with usable data for a response rate of 18.5% (5,478 / 29,653). Therefore, the

state target of 96% was not met. More regarding this Indicator will be presented at the meeting on January 10, 2011.

Ms. Long went on to discuss Indicator 9 - Disproportionality by race. This Indicator shows the percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. The Target for the Indicator was 0% of school districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. One district was found to have disproportionate representation of students receiving special education and related services based on the application of criteria defined in this indicator. This district was determined, however, not to be disproportionate as the result of inappropriate identification. Therefore, 0 of Tennessee's 136 districts were found to have disproportionate representation of racial and ethnic groups in special education and related services *that is the result of inappropriate identification* and the target was met.

Ms. Long finished with Indicator 10 - Disproportionality by disability categories. Indicator 10 shows a percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories which are the result of inappropriate identification. The target for this Indicator was 0% of school districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification of students with Autism, Emotional Disturbance, Intellectual Disabilities, Other Health Impairment, Specific Learning Disabilities, and Speech/Language Impairments. 27 districts were found to have disproportionate over- and or under-representation based on the application of criteria defined in this indicator. These districts were determined, however, not to be disproportionate as the result of inappropriate identification, as described below. Therefore, in FFY 2009 through the examination of disproportionate representation data, 0 of Tennessee's 136 districts were found to have disproportionate representation of racial and ethnic groups in specific disability categories *as a result of inappropriate identification* and the target was met.

Veronica McDonald completed the APR Review for this meeting with Indicator 11 - Child Find. Indicator 11 shows a percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. TN did not meet the 100% target for this year. However 96.25% maintains the progress that was made in the FFY08. In part, this progress is attributed to the implementation of the completed improvement activity requiring a more robust data collection through the state data system. Accompanying instructions and trainings consistently communicated the importance of these data and their collection. Training to LEAs was provided at the Annual Special Education State Conference and regional orientation meetings. Additionally, ongoing state data system technical assistance is provided throughout the year for all districts in the state.

Although there was discussion of discontinuing TDOE-granted extensions, it was decided to continue accepting for consideration and granting when warranted TDOE extensions. TDOE extensions were beginning to be aligned with the reasons for delay that were built into the data collection system this year. This alignment will continue in order to help streamline the process of approving extension requests. The number of extensions granted by the TDOE was 5. Only exceptional reasons for delay, beyond those outlined above, are granted extensions.

Election of Chair and Vice-Chair

Paula Brownyard was re-elected to serve as Chair. Cynthia Higginbotham was also re-elected and will continue to serve as Vice-Chair.

Other New Business

The Council then discussed future meeting dates and set a tentative schedule as follows:

- January 10, 2011
- April 11, 2011
- July 11, 2011
- October 17, 2011

Adjourn

Hearing no other new business, the meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Approved Minutes**

**January 19, 2011
Via Conference Call***

Members of the Council in Attendance

Kathleen Airhart
Paula Brownyard, Chair
Samuel Cole
Chip Fair
Jeff Finney

Janelle Glover
Kyle Hauth
Chantal Hess-Taylor
Christine Lloyd-Burkes
Sharmila Patel

Members of the Council Not in Attendance

David Blier
Dawn Bradley
Cynthia Higginbotham, Vice-Chair
Mary Johnson
Catherine Knowles
Flavenia Leaper
Beulah Oldham

Sebrena St. John
Cindy Storey
Shannon Taylor
Jim Topp
Darlene Walden
Tonya Watson

State Employees in Attendance

Joseph Fisher, TN Department of Education/Division of College & Career Readiness
(TDE/DCCR)
Steve Sparks, TDE/DCCR

Visitors in Attendance

Sherry Wilds, Disability Law & Advocacy

(*The meeting originally scheduled for January 10, 2011 was cancelled due to inclement weather, therefore, this quarterly meeting was conducted by phone.)

Welcome

Paula Browyard, Chair, welcomed everyone to the meeting and called the meeting to order.

Acceptance of Agenda

Without a quorum, a vote could not be held. The meeting continued with the proposed agenda.

APR Indicators

With a majority of the Indicator areas of the Annual Performance Report having been reviewed at the October 2010 meeting, Steve Sparks, Director of Professional Development, presented the remaining Indicators to the Council. The complete APR can be located at: http://www.tennessee.gov/education/speced/data_reports.shtml

TVAAS Data for Teachers of SWD Memo

A memo from Commissioner Bruce Opie regarding the possible inclusion of students with disabilities to the Tennessee Value-Added Assessment System (TVAAS) was then discussed. Currently, TCA 49-1-606 specifically excludes students with disabilities and the Office of Special Education has been asked if this should be revised. In response, the TDE will review the historical data on the performance of students with disabilities in terms of TVAAS to determine if using this data is a reliable and valid indicator of academic growth for these students before making a final decision.

Other New Business

The Council set a tentative meeting schedule as follows:

- April 11, 2011
- July 11, 2011
- October 17, 2011

The meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Proposed Minutes**

**April 11, 2011
1252 Foster Avenue
Hardison Building Auditorium
Nashville, Tennessee 37243**

Members of the Council in Attendance

David Blier
Dawn Bradley
Paula Brownyard, Chair
Cynthia Cheshier, Vice-Chair
Samuel Cole
Chip Fair
Jeff Finney
Janelle Glover

Kyle Hauth
Chantal Hess-Taylor
Mary Johnson
Catherine Knowles
Christine Lloyd-Burkes
Sebrena St. John
Shannon Taylor
Jim Topp

Members of the Council Not in Attendance

Kathleen Airhart
Beulah Oldham
Sharmila Patel
Cindy Storey
Tonya Watson
Darlene Walden

State Employees in Attendance

Lewis Butler, TN Department of Education/Division of College & Career Readiness (TDOE/DCCR)
Steve Dugger, TN Department of Children's Services
Joseph Fisher, TDOE/DCCR
Larry Greer, TDOE/DCCR
Jessica Harbison, TDOE/DCCR
Melanie Karsanac, TDOE/DCCR
Nan McKerley, TDOE/DCCR
Evans Murray, TN Office of Information Resources
Donna Parker, TDOE/DCCR

Visitors in Attendance

Susan Dalton, TN Education Association
Carrie Hobbs Guiden, The Arc of Tennessee
holly lu conant rees, Disability Coalition on Education
Christine Sartain, Parent
Ned Solomon, Disability Coalition on Education

Welcome

Paula Browyard, Chair, began the meeting by welcoming everyone. She then led the Council members and guests in the Pledge of Allegiance.

Acceptance of Agenda

The agenda was accepted as presented.

Approval of Minutes from October 11, 2010 Meeting

The January, 2011 meeting was cancelled due to weather conditions and conducted at a later date by phone. Without a quorum to vote on the minutes of the October, 2010 meeting, a vote was deferred. After briefly reviewing the minutes, the Council voted to accept them as presented.

Approval of Minutes from January 10, 2011 Meeting

The minutes of the January Meeting were also accepted as presented.

Report from the Chair

Paula congratulated Joseph Fisher, Assistant Commissioner of the Division of College and Career Readiness, and his staff in the Office of Special Education on the success of the 2011 Annual Special Education Conference. The conference was held in Nashville on February 23-25, 2011 and had approximately 2000 attendees from across the state present.

Paula went on to express the support of the Council for Mr. Fisher to continue his role as leader of the Office of Special Education. Newly appointed Commissioner of Education, Kevin Huffman, has stated that he does not plan to replace Mr. Fisher; however, the Council wanted their support of Mr. Fisher on record.

Public Input

There was no one present to address the Council.

2011-12 Council Goals Committee Selection

Paula volunteered to Chair this committee and asked for other volunteers. Mary Johnson, Chip Fair, Catherine Knowles and Samuel Cole all volunteered to assist.

2010-11 Annual Report Committee Selection

The Council reports its activities annually and Paula asked for volunteers to help draft this year's report. Cynthia Cheshier volunteered to Chair the committee and Sebrina St. John, Janelle Glover and Chantal Hess-Taylor also volunteered to assist.

Standards-Based IEPs

Donna Parker was introduced to present the work being done by the TDOE Office of Special Education to help local school districts develop and implement standards-based Individualized Education Plans (IEPs) for their students with disabilities. Approximately three years ago, the TDOE began researching this issue by first reviewing a random sampling of IEPs from across the state to see how IEPs were being written. Almost every school district in Tennessee is using EasyIEP for its student data, which is loaded with every possible state curriculum standard. It was discovered that they were not always being used as thoughtfully as possible to provide the most effective instruction for students. The Office of Special Education also began working with the National Center for Educational Outcomes (NCEO), who helped in the development of the 2% Modified Academics Achievement Standards (MAAS) Test and

continue to assist states with focusing on standards-based IEPs, to develop training modules to help special educators think beyond simply writing goals and objectives. These modules first ask participants to consider what takes place in the general education classroom then help build, by layers, a more comprehensive plan that also allows for better tracking of student progress. The basis for these trainings was created by the Council of Chief State School Officers (CCSSO), a nationwide network that helps develop educational policies and provide resource information, and, although the trainings apply to and can be used in any state, the State continues to adapt them specifically for Tennessee. As an added benefit, the trainings will also provide preemptive assistance in helping districts align their IEPs with the Common Core Standards passed by the State Board of Education, which are scheduled to be effective during the 2014-15 school year.

Promoting Response To Intervention (RTI) in Math and Reading

Melanie Karsanac, Director of Evaluation Services for the TDOE Office of Special Education, then provided an update on the State Personnel Development Grant (SPDG). Response To Intervention is a framework being promoted by the TDOE to provide support to struggling students in the general education environment prior to a special education referral. The TDOE SPDG staff work with universities and advocacy groups across the state to provide hands-on training and professional development to local school districts, as well as information and training to parents for use in the home. They have also contracted with the IRIS Center to develop online RTI modules in Math and Reading. The Reading module is not complete; however, the module on high-quality Math instruction is already in place. It describes the components of high-quality Math instruction, what standards-based curriculum should look like and evidenced-based strategies for providing high-quality Math instruction. It also highlights effective strategies that teachers can use if they have students who are struggling, such as models for peer tutoring. These modules are linked to the US Department of Education website and can be used by any state across the country. The primary focus of the SPDG is professional development and the goal is to provide training to teachers, parents and other stakeholders throughout the state and improve outcomes for all students. To do so, these modules will be used as “Train the Trainer” sessions in which a district’s representative will make a commitment to attend the training then return home and train others in their district. The TDOE will provide follow-up support to ensure the accuracy and effectiveness of the subsequent trainings and to answer any questions.

Legislative Update

Bill Wilson, Staff Attorney for the Office of Special Education, was unable to attend the meeting. Chip Fair led the discussion on Legislative Updates in his stead. He began with The Special Needs Scholarship Act which proposes to create “scholarships for children served in special education programs in public schools beginning with the 2012-2013 school year.” This means eligible students could attend public schools outside their district of residence, schools run by another public entity or any private schools that provide education to elementary or secondary students, if such schools chose to participate in the scholarship program.

Other New Business

Jim Topp expressed concerns regarding Council member attendance at recent meetings. Paula agreed to research the issue and contact Council members who had not been attendance to encourage them to come to upcoming meetings.

Samuel Cole suggested sending a letter of support for Joseph Fisher to the new Commissioner of Education.

Sebrena St. John informed the Council of a letter she received from a parent of a child with Asperger's Syndrome who does not meet the current eligibility standards to receive special education services. Many students with Asperger's do not meet the criteria for Autism spectrum disorders based on the language skills component. Sebrena asked that the TDOE review these standards and help those children with Asperger's receive the services they need.

The Council set the following schedule for the next quarterly meetings:

- July 11, 2011
- October 24, 2011

(Please note that these dates are subject to change, if necessary. Please check the Council webpage at <http://www.tn.gov/education/speced/advisory.shtml> for updates regarding future meeting dates and other Council information.)

Adjourn

Hearing no other new business, the meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Proposed Minutes**

**July 11, 2011
1252 Foster Avenue
Hardison Building Auditorium
Nashville, Tennessee 37243**

Members of the Council in Attendance

Kathleen Airhart	Janelle Glover
Dawn Bradley	Chantal Hess-Taylor
Cynthia Cheshier, Vice-Chair	Christine Lloyd-Burkes
Samuel Cole	Darlene Walden
Chip Fair	

Members of the Council Not in Attendance

Paula Brownyard, Chair
Jeff Finney
Kyle Hauth
Mary Johnson
Catherine Knowles
Beulah Oldham
Sharmila Patel
Cindy Storey
Shannon Taylor
Jim Topp
Tonya Watson

State Employees in Attendance

Joseph Fisher, TDOE, Division of College & Career Readiness (TDOE/DCCR)
Jessica Harbison, TDOE/DCCR
Nan McKerley, TDOE/DCCR
Evans Murray, TN Office of Information Resources
Bill Wilson, TDOE, Office of the General Counsel

Visitors in Attendance

Susan Dalton, TN Education Association
Jacqueline Dowlen, Parent
William Edington, TN Council on Developmental Disabilities
Laritha Fentress, TN Voices for Children
Carrie Hobbs Guiden, The Arc of Tennessee
Karen Harrison, STEP, Inc.
Rebecca Lovell, TN Voices for Children
Wanda Myles, Parent
holly lu conant rees, Disability Coalition on Education
Loria Richardson, The Arc of Tennessee
Christine Sartain, Parent
Patricia Valladares, STEP, Inc.
Tamatha Word, Parent

Welcome

Paula Browyard, Chair, was unable to attend this meeting; therefore, Cynthia Cheshier, Vice-Chair, began the meeting. She first welcomed the Council members and guests, then led the Pledge of Allegiance.

Acceptance of Agenda

Without a quorum present, no formal vote could be taken; however, those present did agree to conduct the meeting according to the agenda as presented.

Approval of Minutes from April 11, 2011 Meeting

Again, a formal vote could not be taken; therefore, the approval of the April 11, 2011 minutes will be moved to the next meeting agenda on October 24, 2011.

Report from the Chair

There was no Report from the Chair at this meeting.

Public Input

Carrie Guiden from The Arc of Tennessee, representing the Disability Coalition on Education (DCE), asked to speak to the Council regarding the issue of the use of restraint and isolation. DCE is a family-driven statewide coalition with active representation from families and advocacy organizations and agencies. Founded by parents of children with disabilities, it provides a forum in which families and advocates work collaboratively on a system level with organizations and agencies involved in the education of students with disabilities.

In 2006, after a number of observed and described instances which involved physical holding restraint, take downs and restraints by lap belts or harnesses, DCE members felt compelled to determine the state of the state regarding seclusion and restraint. DCE conducted a review of the Individuals with Disabilities Act (IDEA) and Tennessee's education laws and rules, but did not find mention of physical restraint or seclusion, which led to the realization that unlike many other vulnerable populations in Tennessee that have protection from unsafe or abusive use of these practices (such as adults with severe mental illness or with intellectual disabilities, elders and even people with certain communicable diseases), there were no guidelines, regulations, training or reporting requirements for the use of restraint or seclusion in schools.

Together with DCE, the Arc of Tennessee formulated a draft bill modeled after similar legislation from Kansas. Sponsors were identified and a Special Education Seclusion and Restraint Modernization and Positive Behavioral Supports Act was introduced in 2007. However, in promoting the bill, they encountered a "catch-22." Seclusion and restraint weren't regulated or reported, so there was no formal data to look at and, because no data existed, the idea of protective legislation was greeted with doubt that a problem existed. The bill was also condemned by a large fiscal note with an implementation cost of nearly \$50 million; however, thanks a number of committed individuals, such as Representative Sherry Jones, the bill wasn't dismissed and instead evolved on to a legislative study commission to report findings to the full legislature in 2008. After extensive research and discussions, Public Chapter 1063 went into effect in January of 2009 and established the first set of guidelines for use of restraint or seclusion in schools. Unfortunately, training, data collection and reporting, and parental notification procedures were not included at that time. Continued efforts have produced Public Chapter 457, which, among other things, has established this council as the body that will review collected data on restraint and isolation. Further information on Public Chapter 457 will be discussed during the Legislative Update.

2009-10 Annual Report

A draft of the Annual Report will be distributed via email to Council members for review and a vote will be scheduled for the next council meeting on October 24, 2011.

2011-12 Council Goals

Cynthia briefly read through each of the 2010-11 goals so members could determine if they felt the goal should be continued or make suggestions. On Council Goal #6, regarding drop-out rates, Joseph Fisher noted that the TDOE is developing a tracking tool, the Early Warning Data System (EWDS), to monitor student attendance, grades, and discipline on a daily basis in an effort to help reduce the drop-out rate. The EWDS will be rolled out in the fall of 2011 or early 2012. The Council will also add monitoring the discipline data from the EWDS to Council Goal #8 once the system is in place. Monitoring the progress of each goal on a volunteer basis was revisited and Cynthia will email a list to the council members as a reminder of the volunteers for each goal.

State Determination Letter from the Office of Special Education Programs

34 CFR §300.603 requires that the U.S. Department of Education, Office of Special Education Programs (OSEP) make determinations of each state's abilities to carry out the duties required of Part B of the Act based on information provided by the State in the State's Annual Performance Report (APR), information obtained through monitoring visits, and any other public information made available.

On June 20, 2011, Tennessee's Commissioner of Education received OSEP's determination letter with notification that Tennessee had been placed in the "Needs Assistance" category based primarily on the fact that the State did not, at the time of reporting, have a follow-up monitoring procedure in place to ensure that identified instances of noncompliance had been corrected. The determination letter did note, however, other areas that reflect a high level of performance, including that the State reported valid and reliable data for all indicators and a high level of compliance in the areas of disproportionate representation, transition, and dispute resolution. TDOE now has complete follow-up compliance monitoring procedures in place to address the reasons for the determination of "needs assistance" which should result in a determination of "meets requirements" at the next OSEP review of Tennessee's APR.

Legislative Update

T.C.A. Title 49, Chapter 10, Section 13, the Special Education Behavioral Supports Act (formerly the Special Education Isolation and Restraint Modernization and Positive Behavioral Supports Act) was amended to include additional definitions and establishes guidelines for staff training, restrictions on the administration or use of isolation or restraint, and reporting procedures. The amended act went into effect on June 10, 2011.

Public Chapter 219, effective May 20, 2011, extends the compulsory attendance to attendance at any remedial instruction that is required by any school including, but not limited to, programs conducted during the summer and after the conclusion of the regular school day. This goes along with Public Chapter 220, also effective May 20, 2011, which creates the offense of "educational neglect", punishable as a Class C Misdemeanor (up to 30 days in jail and/or up to \$50 fine), for violation of the compulsory attendance law (although it does not define "educational neglect").

Public Chapter 251, effective July 1, 2011, creates the offense of "cyber-bullying" - bullying undertaken through the use of electronic devices, including but not limited to,

telephones, cellular phones or other wireless telecommunications devices, personal digital assistants (PDAs), computers, electronic mail, instant messaging, text messaging, and web sites which substantially interferes with a student's educational benefits, opportunities, or performance.

Public Chapter 351, effective July 1, 2011, prohibits the promotion of a student from the third grade to the fourth grade "unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading as demonstrated by the student's grades or standardized test results." The student may be promoted if the student participates in an LEA approved research-based intervention program prior to the beginning of the next school year. This section shall not apply to students who have an Individualized Education Program (IEP) pursuant to 20 U.S.C. §1400 et seq.

Public Chapter 426, effective July 1, 2011, requires local boards of education to allocate funding, in an amount equal to the per pupil state and local funds received by the LEA, to state licensed residential mental health facilities on a prorated daily basis for a student's length of stay, provided the facility operates as a category I special purpose school, the student is enrolled in the LEA, and is admitted to the facility under a licensed physician's written order based on medical necessity. Such funding is in addition to funds allocated pursuant to federal law and regulation, including but not limited to, Title I and ESEA funds. The state board of education must promulgate rules and regulations that provide for the determination of the allocation of funding.

Public Chapter 488, effective July 1, 2011, also known as the "Move on When Ready Act." Beginning with the 2012-13 school year, students who meet certain criteria may complete an early high school graduation program and be eligible for unconditional entry into a two-year public higher education institution or conditional entry into a four-year institution. The state board of education and Tennessee Higher Education Commission (THEC) must set benchmark score requirements and promulgate rules and regulations.

Public Chapter 492, effective July 1, 2011, or the "Virtual Public Schools Act", authorizes LEAs to establish virtual schools; permits LEAs to contract for services with nonprofit or for-profit entities to manage and operate virtual schools; defines "virtual school" and sets guidelines for its establishment.

Public Chapter 499, effective July 1, 2011, amends the home school law to require that a parent-teacher have a high school diploma or GED certificate to teach any or all grades K-12, rather than the previously required baccalaureate degree. The act also changes the deadline for annual notice to the director or schools of the intent to home school from August 1 to "prior to each school year."

Other New Business

TCAP scores from the 2010-11 school year were released last week and have resulted in some concern regarding the number of students who are being tested using an alternative portfolio or the TCAP Modified Academic Achievement Standards (MAAS). Federal requirements allow 1% of students test scores using an alternative portfolio and 2% using MAAS to be counted toward annual yearly progress (AYP). If districts do not use discretion when choosing participants and go over 3% of their population, it could cause the state to exceed its cumulative 3% and have significant effect on the state's AYP results.

Although the Council could not set dates for upcoming meetings, the next quarterly meeting is scheduled on October 24, 2011. Please note that these dates are subject to change, if necessary. Check the Council webpage at

<http://www.tn.gov/education/speced/advisory.shtml> for updates regarding future meeting dates and other Council information.

Adjourn

Hearing no other new business, the meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Proposed Minutes**

**October 24, 2011
1252 Foster Avenue
Hardison Building Auditorium
Nashville, Tennessee 37243**

Members of the Council in Attendance

Kathleen Airhart
Paula Brownyard, Chair
Dawn Bradley
Cynthia Cheshier, Vice-Chair
Samuel Cole
Jeff Finney
Janelle Glover

Chantal Hess-Taylor
Mary Johnson
Catherine Knowles
Christine Lloyd-Burkes
Shannon Taylor
Jim Topp
Darlene Walden

Members of the Council Not in Attendance

Chip Fair
Kyle Hauth
Beulah Oldham

Cindy Storey
Tonya Watson

State Employees in Attendance

Gayle Feltner, TN Department of
Education (TDOE)
Ben Felton, TDOE
Steve Dugger, TN Department of
Children's Services
Joseph Fisher, TDOE
Jessica Harbison, TDOE
Linda Hartbarger, TDOE
Melanie Hatcher, TDOE
Veronica McDonald, TDOE
Nan McKerley, TDOE
Evans Murray, TN Office for Information
Resources
Ann Sanders-Eakes, TDOE
Steve Sparks, TDOE
Mary Jane Ware, Department of Human
Resources, Division of Rehabilitation
Services
Karen Willis, TDOE
Bill Wilson, TDOE

Visitors in Attendance

Debbie Boles, TN PTA

Bruce Bull, SPEDSIS (TDOE Consultant)

Susan Dalton, TN Education Association

Wanda Myles, Parent

Michele Priddy, Parent

Loria Richardson, The Arc of Tennessee

Ned Solomon, TN Council on Developmental Disabilities

Tamatha Word, Parent

Welcome

Paula Browyard, Council Chair, began the meeting by welcoming everyone and then led the Pledge of Allegiance.

Acceptance of Agenda

Paula Browyard proposed that the “Legislative Update” be presented before the “Annual Performance Report (APR) Review” and that the Elections of the Chair and Vice-Chair be moved to the end of the meeting. The agenda was accepted with these changes.

Approval of Minutes from April 11, 2011 and the July 11, 2011 Meetings

Kathleen Airhart noted that she was listed as “Members Not in Attendance” at the April 2011 meeting and asked that it be changed to show her in attendance. Hearing no other corrections, the minutes of both meetings were accepted with that correction.

Report from the Chair

Paula Browyard proposed changing the Council schedule. Historically, the Council has met quarterly in the months of January, April, July, and October; however, there has been some difficulty getting a quorum for the July meetings due to conflicting summer schedules. After some discussion, a motion was made to keep the January, April, and October meetings as scheduled but look at changing the July meeting to the end of June or beginning of August. The motion was seconded but a vote was tabled until the January meeting to allow more time for consideration.

Paula then moved on to questions and concerns that have been brought to her attention regarding the development of a new teacher evaluation system by the TDOE. Ben Felton of the TDOE Tennessee Educator Acceleration Model (TEAM) was introduced to update the Council on these developments and answer questions about how the evaluations will affect special education teachers.

The TEAM Data System went into effect this month with observer access to general education teacher evaluations. By mid-December, it will also allow observers to enter scores for all educators, district/school administrators will have access to run reports, and the 15% achievement measure module will open. In the spring of 2012, the 35% growth module will open and teachers will be given access to their data.

Mr. Felton briefly discussed the evaluation process and review worksheet; however, due to the complexities of the new system, he strongly encouraged everyone to visit the TEAM webpage for more information and updates including:

- forms needed for implementation of the TEAM model;

- alternate rubrics for librarians, school service personnel, and teachers in alternative schools;
- quick references on the evaluation process;
- information on growth measures;
- information on the 15% achievement-related measures;
- a guide to the TDOE Evaluation Data System;
- links to evaluation resources; and
- slides from presentations

The website can be found by clicking on the “TEAM” logo on the TDOE main webpage or directly at <http://team-tn.org/>. Questions can also be sent to Team.Questions@tn.gov. Emailed questions will receive a response within 24 hours and the types of questions received will be tracked by the TDOE to guide support.

Public Input

Michelle Priddy, a parent of a child with Muscular Dystrophy, brought to the Council’s attention the lack accessibility to technology which could help provide a level of independence for children with disabilities. She asked that the Council look into the policies that LEAs have regarding technology in the classroom.

Legislative Update

Bill Wilson presented amendments to State Board Rule 0520-01-09-.23, Isolation and Restraints for Students Receiving Special Education Services.

- 0520-01-09-.23(1) is amended by deleting subsections (a) and (d) in their entirety and re-numbering the remaining subsections.
- 0520-01-09-.23(7) is amended by deleting the language “T.C.A. § 49-10-1304(b)” and substituting instead the language “T.C.A. § 49-10-1304”.
- 0520-01-09-.23 is amended by adding the following new subsection: (9) Reports – School personnel who must isolate or restrain a student shall report the incident to the school principal or the principal’s designee. The Department of Education shall develop a report form, which shall be used by school personnel when reporting isolation or restraint to the school principal or the principal’s designee. (a) The report form must include the following information: Student’s name, age, and disability; student’s school and grade level; date, time, and location of the isolation or restraint; length of time student was isolated or restrained; names, job titles, and signatures of the personnel who administered the isolation or restraint; whether the personnel who administered the isolation or restraint were certified for completing a behavior intervention training program; names and job titles of other personnel who observed or witnessed the isolation or restraint; name of the principal or designee who was notified following the isolation or restraint and the specific behavior being addressed; any space used for isolation is at least forty (40) square feet; school personnel are in continuous direct visual contact at all times with a student who is isolated; how the isolation or restraint ended, including the student’s demeanor at the cessation of the isolation or restraint; physical injury or death to the student, school personnel, or both; medical care provided to the student, school personnel, or both; property damage; and date, time, and method of parent notification. (b) A copy of the report for must be provided to the local education agency’s director of special education who shall determine whether an IEP Team meeting must be convened pursuant to T.C.A. § 49-10-1304.

Mr. Wilson also provided a copy of the form developed by the TDOE pursuant to the amendment.

2009-10 Annual Report

A draft of the Annual Report will be distributed via email to Council members for review and a vote will be scheduled for the next council meeting on October 24, 2011.

TDOE Annual Performance Report (APR) Review

Indicator 5: Least Restrictive Environment (LRE) – The data for the 2010-11 school year was obtained from Table 3 of the December 1, 2010 Federal Census Report. Data reflected that 63.39% of children with IEPs were removed from the regular classrooms less than 21% of the day in comparison to 62.33% last school year. The state target of 55% has been met and exceeded. Data also reflects that 12.38% of children with IEPs were removed from regular classrooms greater than 60% of the day in comparison to 12.64% last school year. The state target of 13% was not met. Children served in combined separate programs, which include separate public/private schools, public/private residential schools, and homebound/hospital placements comprised 2.79% as compared to 1.75% last school year. This is less than the 3.71% national average which reflects that this target was met as well.

TDOE Improvement Activities include: review and analysis of placement data reported by school and districts of those LEAs awarded contracts to facilitate the development of model demonstration sites using inclusionary methods and practices; providing multiply methods of technical assistance and training to implement multi-tiered, school-wide academic Response to Intervention (RTI) and Positive Behavioral Interventions and Supports (PBIS) to enhance the capacity of general and special educators to implement research-based practices that will increase student access to the general education curriculum at grade level; and providing state-wide trainings to LEAs on standards-based IEPs to facilitate improved access to the general education curriculum and environment for students with disabilities.

Indicator 7: Preschool Outcomes – Outcome A: Positive social-emotional skills (including social relationships) - Of those children who entered or exited the program below age expectations, 90.8% substantially increased their rate of growth by the time they exited the program and 61.3% were functioning within age expectations by the time they exited the program. Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy) - Of those children who entered or exited the program below age expectations, 89.4% substantially increased their rate of growth by the time they exited the program and 59.2% were functioning within age expectations by the time they exited the program. Outcome C: Use of appropriate behaviors meet their needs - Of those children who entered or exited the program below age expectations, 91.3% substantially increased their rate of growth by the time they exited the program and 71.1% were functioning within age expectations by the time they exited the program.

TDOE will continue to track data to determine if additional training, technical assistance, resources, or individual site visits to local programs are necessary. In addition, TDOE

will continue to provide technical assistance, training, resources, and individual site visits to LEAs as requested.

Indicator 8: Parent Involvement – During the school year, the *Parent Survey* was administered to all parents of students with disabilities ages 3 through 21 in 37 LEAs selected by sampling by the TDOE. The State's three largest LEAs participate in this survey each year. A total of 26,914 surveys were distributed to parents. There were 4,805 responses with usable data for a response rate of 17.85%. Item one of the survey queried parents regarding schools facilitation of parent involvement. Of the 4,729 parents responding to item one, 4,308 (or 91.1%) agreed that the schools facilitated their involvement as a means of improving services and results for children with disabilities. The state target of 97% was not met. The same target percentage for survey item one will be maintained until that target can be accomplished over a four-year cycle.

TDOE Improvement Activities: require LEAs to develop an improvement plan as needed based on survey results, which should facilitate increased parent involvement in educational programs for children and could include training, general information, home learning activities, etc. using a tool such as a newsletter. The TDOE will then review improvement plans and keep on file to determine if improvements have increased once a four-year cycle has rotated back to LEAs (this can be done on a yearly basis with the 3 largest LEAs), as well as periodically provide LEAs with activities accumulated for collected improvement plans in order to provide LEAs with a source of successful improvement activities on which to base their future plans. The TDOE will reword selected survey questions before the next survey is done to enhance respondent comprehension of questions which should help to obtain more accurate survey responses/results. The TDOE will also accumulate LEAs written survey comments from parents (positive and negative) and send to the associated LEAs in order to make them more aware of specific concerns and modify on-going improvement activities as needed.

Indicators 9 & 10: Disproportionate Representation in Special Education – None of TN's 140 LEAs were identified with disproportionate representation of racial and ethnic groups in special education and related services as the result of inappropriate identification. All data reviewed and analyzed for the identification of disproportionate representation is posted on the special education assessment webpage at http://www.tn.gov/education/speced/monitor_compl.shtml in the documents "*Summary Data FFY2010 – Disproportionate Overrepresentation Summary Data*" and "*Summary Data FFY2010 – Disproportionate Underrepresentation Summary Data*."

Indicator 12: Part C to B Transition – The State Measurable and Rigorous Target for this indicator is 100% of children referred by Part C prior to age three, who are found eligible for Part B, have an IEP developed and implemented by their third birthdays. At this time, the data is not complete, so there is no reliable percentage to report.

Indicator 13: Secondary Transition with IEP Goals – Data in 2009-10 revealed a baseline of 50.03% which is considered "very low" by OSEP according to the TN Part B FFY2009 SPP/APR Response Table. Prior to receiving that Table, TDOE chose to assertively tackle the low rate of transition planning compliance in the following manner:

- Compliance monitors were sent to the LEAs to verify individual student level correction of non-compliance
- TDOE transition coordinators completed a Prong 2 review for all 30 LEAs and results confirmed that all plans were reviewed compliant with requirements

- Letters of determination were sent to each LEA and LEAs were required to complete additional requirements based on the level of compliance that they achieved. Evidence of requirement completion was due in the TDOE office on September 30, 2011.
- 19 LEA technical assistance visits were completed during May, June, and July, 2011

Indicator 14: Secondary Transition after Secondary Education – The TDOE switched its transition compliance function from the TOPS self-assessment review in 2009-10 to the web-based compliance monitoring system (WBMS) in 2010-11. The sample size was set by the size of the district and a representative number of students who have transition plans in place.

The TDOE continued to utilize the services of Dr. Ed O’Leary for LEA transition training. Dr. O’Leary’s training was held in Nashville, TN on August 30 & 31, 2010 and all 30 LEAs who would be monitored in 2010-11 attended. Each of the 30 LEAs in the monitoring rotation was encouraged to review a sampling of their own students’ IEPs to check for the seven components that make up Indicator 13 prior to on-site monitoring. The seven components include:

- Student invitation documentation
- Measurable Post-Secondary Goals (MPSGs)
- Age Appropriate Transition Assessment
- Course of Study
- Transition services in the IEP
- Agency Invitation with parental/student permission
- Annual goals in the IEP

2010-11 data was entered into the WBMS by the compliance monitors. After the data was reviewed with the LEA representatives and corrections were completed, compliance monitors were dispatched to the LEAs to review individual student level correction of non-compliance. To insure that the LEAs had become skilled at appropriate transition planning, a Prong 2 review has been completed.

While TDOE did not meet the 75% threshold for the overall indicator, we had improvement in all individual components of transition planning. In five out of the seven components, we achieved greater than 90% compliance and over 80% in the two remaining areas.

Indicator 16, 17, 18 & 19: Dispute Resolution (Complaints, Hearing Requests Fully Adjudicated, Hearing Resolved During Resolution Session, and Mediations) – 111 signed written complaints were received by the division. 65 reports were issued. Of the 65 reports issued, 65 were within timelines. 22 reports included findings of noncompliance. 18 complaints were pending at the end of the reporting period, 18 of which were complaints pending a due process hearing. 28 complaints were withdrawn or dismissed.

73 due process hearing requests were received by the division. 0 due process hearing requests were fully adjudicated. 64 due process hearing requests were resolved without a hearing. 1 expedited hearing request was received by the division. 1 expedited hearing

request was resolved without a hearing. 9 requests were pending at the end of the reporting period.

19 resolution sessions were conducted with 13 resulting in signed written agreements.

45 mediation requests were received by the division. 9 mediations were not related to due process hearing requests. Of the 9 that were not related to due process hearing requests, 7 resulted in agreements. Of the 14 mediations that were related to due process hearing requests, 13 resulted in agreements. 22 mediations were either pending or not conducted.

Election of the Chair and Vice-Chair

Paula Brownyard was re-elected as Chair for 2011-12. Cynthia Cheshier was also re-elected as Vice-Chair.

Other New Business

The Council set the next meeting date for January 9, 2012. Updates regarding the Council schedule and other information can be found at <http://www.tn.gov/education/speced/advisory.shtml>.

Adjourn

Hearing no other new business, the meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Proposed Minutes**

**January 9, 2012
1252 Foster Avenue
Hardison Building Auditorium
Nashville, Tennessee 37243**

Members of the Council in Attendance

Paula Brownyard, Chair
Dawn Bradley
Cynthia Cheshier, Vice-Chair
Chip Fair
Kyle Hauth
Chantal Hess-Taylor

Mary Johnson
Catherine Knowles
Christine Lloyd-Burkes
Shannon Taylor
Jim Topp

Members of the Council Not in Attendance

Samuel Cole
Jeff Finney
Janelle Glover

Beulah Oldham
Darlene Walden

State Employees in Attendance

Kathleen Airhart, TN Department of Education (TDOE)
Lewis Butler, TDOE
Linda Copas, TDOE
Terry Long, TDOE
Bobbi Lussier, TDOE
Veronica McDonald, TDOE
Nan McKerley, TDOE
Evans Murray, TN Office for Information Resources
Ann Sanders-Eakes, TDOE
Steve Sparks, TDOE

Visitors in Attendance

Loria Richardson, The Arc of Tennessee
Ned Solomon, TN Council on Developmental Disabilities
Patricia Valladares, STEP, Inc.

Welcome

Paula Browyard, Council Chair, began the meeting by welcoming everyone and then led the Pledge of Allegiance.

Acceptance of Agenda

The agenda was accepted without changes.

Approval of Minutes from October 24, 2011 Meetings

The minutes of the October meeting were accepted without changes.

Report from the Chair

Paula asked everyone to mark their calendars for the Annual Special Education Conference on February 15-17, 2012.

Public Input

No one was present to address the Council.

Final Vote on the 2009-10 Annual Report

Paula informed the Council that "Council Activities" had not been completed. Paula reminded everyone that each Council member had volunteered to monitor the progress of each goal and asked that they submit their suggestions to her as soon as possible.

Department Update

The Council first acknowledged Kathleen Airhart, a former Council member, was recently appointed as the Deputy Commissioner of the Department of Education and presented her with a plaque in appreciation for her service on the council.

Joseph Fisher informed the Council that the Department will undergo reorganization as part of the Commissioner's strategic plan, including a merger of Special Education with Special Populations. Mr. Fisher announced he will be retiring and Bobbi Lussier will be the Assistant Commissioner of the new Division of Special Education, Special Populations. He applauded the work of everyone on the Council and the other stakeholders in special education across the state and attributed the gains in areas such graduation rates of students with disabilities to their hard work. He encouraged them to continue working for children in Tennessee before introducing Bobbi Lussier, who briefly addressed the Council stating her enthusiasm and interest in working with the Council in the future.

Mr. Fisher went on to announce a change to T.C.A. §49-1-606 which deals with teacher effect (i.e. student achievement test scores are tied to the effectiveness of their classroom instruction) that the TDOE is planning to recommend during the next legislative session. Teachers of students with disabilities are currently excluded; however, the TDOE plans to recommend changing the statute to include test scores for those special education students who are able to take the TCAP tests.

2012 Annual Special Education Conference Agenda

The Council and guests were given a draft copy of the agenda for the Annual Special Education Conference in February.

State Annual Performance Report (APR) Review

Indicator 1: Graduation – The ESEA graduation rate target of 90% was not met; however, the TDOE target of an increase of 1.5% per year was exceeded. The FFY2010 graduation rate of 85.2% is 17.3% greater than the FFY2009 graduation rate. This increase may be attributed in part to the use of a National Governor's Association (NGA) adjusted cohort graduation rate. For the FFY2010, TDOE was granted approval to adjust No Child Left Behind (NCLB) workbook procedures to define the graduation rate as 5 years plus any summer school terms including the summer school term after 12th grade for students with disabilities, students with limited English proficiency, and students attending middle college high schools. This year, FFY2010, does include the graduation rate calculation for students with disabilities subgroup and that same rate is reported as the measure for this APR Indicator. Data for this Indicator for the APR submission due February, 2012, reflect the state's change to NGA cohort graduation rate calculation and will be considered a new baseline.

Indicator 2: Dropout – Year-to-year comparison of progress or slippage on this Indicator indicates slippage of 0.9%; therefore, the state target of a 1.5% decrease was not met. The TDOE governance team is now implementing the NGA cohort approach for calculating dropout rate. Data for this Indicator for the APR submission due February, 2012, will reflect the state's change to NGA cohort dropout calculation and will be considered a new baseline.

Indicator 3: Free Appropriate Public Education in the Least Restrictive Environment – 19.2% of the districts with a disability subgroup met the State's minimum "n" size required for TN's Annual Yearly Progress (AYP) disability subgroup targets. The number of districts that did not meet AYP for students with disabilities with IEPs may be attributed to the TN Diploma Project that became operational during the 2009-10 school year. New rigorous content learning standards, new assessments, and new high school graduation were implemented during FFY09. In July 2010, the State Board of Education adopted new achievement levels (Advanced, Proficient, Basic, and Below Basic) along with new cut scores.

The total participation rate of 99.3% for students with disabilities with IEPs in a regular assessment without accommodations, regular assessment with accommodations, alternate assessment against modified standards, and alternate assessment against alternate standards met and exceeded NCLB's requirements of 95% for students participating in Reading (99.2%) and Math (99.4%). TN used actual counts of all students who were and were not assessed in FFY10. This allows for an accurate percentage of students with IEPs to report their results. TN continues to exceed NCLB's expectations in the area of participation.

Reading: The percent of students with disabilities with IEPs scoring "Proficient or Advanced" against grade level standards, modified achievement standards, and alternate achievement standards for FFY10 is 38.5%. Progress not made due to new rigorous expectations for all students in accordance with the TN Diploma Project initiative.

Math: The percent of students with disabilities with IEPs scoring "Proficient or Advanced" against grade level standards, modified achievement standards, and alternate achievement standards for FFY10 is 31.2%. Progress not made due to new rigorous expectations for all students in accordance with the TN Diploma Project initiative.

Indicator 4: Suspension/Expulsion – The target for FFY09 (08-09 data) was not met. The percentage of discrepant LEAs in FFY08 was 28% as compared to the FFY09 percentage of 33.82%. This increase might be attributed to the fact that the State's data system for collecting suspension data was improved to the point of more accurately identifying ESEA subgroups including students with disabilities. Additionally, the State has a low discrepancy rate (i.e. 1%) that results in more LEAs being flagged for suspension/expulsion in some reporting periods. Based on this rate, a small LEA could be flagged for possibly only one or two students being suspended over 10 days. The State will review this rate and consider changes as indicated in the “revisions to improvement activities” section of this indicator.

Indicator 11: Child Find – For FFY 2010 TDOE did not meet the 100% target. In FFY 2009 TDOE reported 96.25% of children evaluated within State-established timelines. In FFY 2010 this percentage dropped to 95.3%. Additionally noteworthy was the significantly higher number of records (denominator) in FFY 2010 (21,805) compared with the denominator in FFY 2009 (16,667). Upon investigation it was discovered that there was an unintentional exclusion of records in the FFY 2009 data. The FFY 2009 data only included initial eligibility records of students who found eligible whereas in FFY 2010 all records (eligible and ineligible) were used in the calculation. That is, records of students who were not found ineligible with unintentionally excluded by the vendor in the FFY 2009 (first year) data. In addition to the difference in denominators in the two years, this may also account for the reported slippage.

Indicator 15: Monitoring – In FFY08 the TDOE monitored 31 school districts and reviewed 754 student files within those districts as part of its cyclical on-site monitoring process. Using TDOE's compliance monitoring file review protocol, TDOE monitors identified 1,080 instances of noncompliance within these 754 files. However, the (paper) data collection tools employed in FFY08 did not collect all the data necessary to track the timely correction of noncompliance at the individual student level. Findings of student level noncompliance did trigger notification in writing of findings of noncompliance and were used to determine corrective district level actions. However, the ability to fully capture and verify (with dates) the correction of student level noncompliance was not in place during FFY08. TDOE provided each district with noncompliance a report where noncompliance was identified. Each district was required to address the noted areas of noncompliance through a Corrective Action Plan. Technical assistance was provided directly to districts by TDOE staff (monitors and content specialists) and through multiple training sessions at both regional and state levels. Despite the inability for the TDOE to verify all correction of noncompliance at the student level, all districts reported that all noncompliance from on-site district monitoring was corrected and corrections were made within 365 days from identification.

In addition to on-site compliance monitoring, TDOE performs a number of additional processes to identify noncompliance at the district level. These include dispute resolutions, desk audits, data reviews and other data sources all of which can generate findings of noncompliance. Findings of noncompliance from these additional processes are included in the B-15 work sheet. All noncompliance data are reported at the district level, except for Indicators 12 and 13 where noncompliance data are reported at the individual student level.

The percent of noncompliance corrected and verified within one year was 98.23%. Tennessee did not meet the Measurable and Rigorous Target of 100% correction for noncompliance within one year for Indicator 15.

Indicator 20: State Performance Plan – TDOE made progress from 92.31% in FFY08 to 95.24% in FFY09, improving timeliness and accuracy for state reported data, including 618 data, State Performance Plan, and Annual Performance Reports. TDOE did not meet its target FFY09 target of 100%.

Other New Business

The Council set the following schedule:

- April 23, 2012
- July 11, 2012
- October 22, 2012
- January 7, 2013

Updates regarding the Council schedule and other information can be found at <http://www.tn.gov/education/speced/advisory.shtml>.

Adjourn

Hearing no other new business, the meeting was then adjourned.

**Advisory Council for the Education of Students with Disabilities
Proposed Minutes**

**April 23, 2012
1252 Foster Avenue
Hardison Building Auditorium
Nashville, TN 37243**

Members of Council in Attendance

Paula Brownyard, Chair
Dawn Bradley
Cynthia Cheshier, Vice-Chair
Kyle Hauth
Mary Johnson
Catherine Knowles

Shannon Taylor
Jim Topp
Janelle Glover
Jeff Finney
Samuel Cole

Members Not in Attendance

Chip Fair
Chantal Hess-Taylor
Christine Lloyd-Burkes

Beulah Oldham
Darlene Walden

State Employees in Attendance

Joseph E. Fisher, Assistant Commissioner
Kathleen Airhart, Deputy Commissioner
Bobbie Lussier, TDOE

Bill Wilson, Office of General Council
Karen Willis, TDOE
Larry Greer, TDOE

Visitors in Attendance

Lori Richardson, The Arc of Tennessee
Nancy Zambito, Jackson- Madison County

Welcome

Paula Brownyard, Council Chair, Began the meeting by welcoming everyone and then led the Pledge of Allegiance.

Acceptance of Agenda

The agenda was accepted without changes

Approval of Minutes from January 9, 2012 Meetings

The minutes of the January 9th meeting were accepted with changes. There was an attendance correction; Samuel Cole was in attendance at the January 9th meeting.

Report from the Chair

The Council states that the Annual Special Education Conference was one of the best and Congratulates Special Education for that, and they look forward to next years conference.

The Council announced that they would like to send Jessica Harbison, an official "Thank You" for the job she did with the council.

The Council agrees to invite Commissioner Kevin Huffman to the next meeting. The July meeting will take place on the 16th, at the Andrew Johnson Tower, downtown Nashville. This is so that they could accommodate the schedule for the Commissioner.

Department Updates

State board will address Certificates vs. Special Education Diploma. Mr. Fisher announced that this is the last year for Special Education Diplomas.

Bill Wilson states that the council is to advise the department and the state board on special education matters. IEPs need to be written with testing accommodations included. Current IEPs should be amended to reflect the guidelines and allowable accommodation sent out by the Department of Assessment. Guidance needs to reflect the boundaries that testing company will allow, IDEA allows states to set guidelines, but the guidelines in place do not allow for this test SAT10.

Annual Report Draft, Council has not seen its response to goals.
Advisory Council Annual Report needs to be approved by council
Draft needs to be located and sent to council for approval.

Announcements

Joseph E Fisher won the LRP 7th Annual Joleta Reynolds Award

ADVISORY COUNCIL MEMBERS

Paula Brownyard, Chair	Jackson
Cynthia Higginbotham, Vice-Chair	Knoxville
Kathleen Airhart	Cookeville
David Blier	Nashville
Dawn Bradley	Lebanon
Samuel Cole	Nashville
Chip Fair	Manchester
Jeff Finney	Elizabethton
Janelle Glover	Nashville
Kyle Hauth	Chattanooga
Chantal Hess-Taylor	Cordova
Mary Donnet Johnson	Knoxville
Catherine Knowles	Nashville
Flavenia Leaper	Memphis
Christene Lloyd-Burkes	Memphis
Beulah Oldham	Clarksville
Sharmila Patel	Nashville
Sebrena St. John	Limestone
Cindy Storey	Chattanooga
Shannon Taylor	Lexington
James Topp	Collierville
Darlene Walden	Denmark
Tonya Watson	Memphis

State of Tennessee

Phil Bredesen, Governor until January 2011

Bill Haslam, Governor beginning January 2011

Department of Education

Timothy K. Webb, Commissioner until October 2010

Bruce Opie, Commissioner, October 2010 – April 2011

Kevin Huffman, Commissioner beginning April 2011

Division of College and Career Readiness

Joseph E. Fisher, Assistant Commissioner

Advisory Council for the Education of Students with Disabilities

Paula Brownyard, Chair

Division Assistance to Council

Nan McKerley

2011